



DEPARTMENT OF AGRICULTURE

Rural Housing Service

[Docket No. RHS–23–CF–0002]

Rural Community Development Initiative (RCDI) for Fiscal Year 2023

AGENCY: Rural Housing Service, Department of Agriculture.

ACTION: Notice of funding of availability (NOFA).

SUMMARY: The Rural Housing Service (RHS or the Agency), a Rural Development (RD) agency of the United States Department of Agriculture (USDA), announces the acceptance of applications under the Rural Community Development Initiative (RCDI) program for fiscal year (FY) 2023. These grants will be made to qualified intermediary organizations that will provide financial and technical assistance to recipients to develop their capacity and ability to undertake projects related to housing, community facilities, or community and economic development that will support the community. Congress, in the Consolidated Appropriations Act, 2023 appropriated \$6,000,000 in FY 2023 for the RCDI program. Of this amount, \$1.6 million will be made available to projects located in Persistent Poverty Counties. Eligible applicants for the Persistent Poverty Counties set aside must demonstrate that 100 percent of the benefits of an approved grant will assist recipients in Persistent Poverty Counties.

DATES: Completed applications must be submitted using one of the following methods:

- *Paper submissions:* Paper application must be received by 4:00 p.m. local time by the Rural Development State Office where the applicant's headquarters is located. **[INSERT 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].**

• *Electronic submissions:* Electronic applications must be submitted via Grants.gov by 11:59 p.m. Eastern Time on **[INSERT 55 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

Prior to official submission of applications, applicants may request technical assistance or other application guidance from the Agency, as long as such requests are made prior to **[INSERT DATE 50 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: Applicants wanting to apply for assistance may download the application documents and requirements as stated in this Notice from the RCDI website:

<https://www.rd.usda.gov/programs-services/community-facilities/rural-community-development-initiative-grants>. Application information for electronic submissions may be found at <https://www.Grants.gov/>. Applicants may also request paper application packages from the Rural Development office in their state. A list of Rural Development State office contacts can be found via https://www.rd.usda.gov/files/CF_State_Office_Contacts.pdf.

FOR FURTHER INFORMATION CONTACT: Shirley J. Stevenson, Community Programs Specialist, Rural Development, United States Department of Agriculture, 1400 Independence Ave., SW, Washington, DC 20250, Phone: (202) 205-9685, Email: Shirley.Stevenson@usda.gov.

SUPPLEMENTARY INFORMATION:

Overview

Federal Awarding Agency Name: Rural Housing Service, (RHS).

Funding Opportunity Title: Rural Community Development Initiative, (RCDI).

Announcement Type: Notice of Funding Availability (NOFA).

Funding Opportunity Number: USDA-RD-HCFP-RCDI-2023.

Assistance Listing: 10.446.

Dates: Applications must be submitted using one of the following methods:

- *Paper submissions:* The deadline for receipt of a paper application is 4 p.m. local time, to the Rural Development State Office where the applicant's headquarters is located.

[INSERT DATE 60 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER]. Applicants intending to mail applications must provide sufficient time to permit delivery on or before the closing deadline date and time. Acceptance by the United States Postal Service or private mailer does not constitute delivery. Facsimile (FAX), electronic mail, and postage due applications will not be accepted. The application dates and times are firm. The Agency will not consider any application received after the deadline.

- *Electronic submission:* Electronic applications will be accepted via Grants.gov. The deadline for receipt of an electronic applications via Grants.gov is 11:59 p.m. Eastern Time on **[INSERT 55 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL**

REGISTER]. The application dates and times are firm. The Agency will not consider any application received after the deadline. The Agency recommends not filing electronic submissions too close to the submission deadline in the event there is a problem with the system. Applicants that choose to mail applications in lieu of an electronic submission must provide sufficient time to permit delivery on or before the closing deadline date and time. Acceptance by the United States Postal Service or private mailer does not constitute delivery. Facsimile (FAX), electronic mail and postage due applications will not be accepted. Prior to official submission of applications, applicants may request technical assistance or other application guidance from the Agency, as long as such requests are made prior to **[INSERT DATE 50 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**. Technical assistance is not meant to be an analysis or assessment of the quality of the materials

submitted, a substitute for agency review of completed applications, nor a determination of eligibility, if such determination requires in-depth analysis. The Agency will not accept any applications or consider additional information or documentation after the application deadline. The application dates and times are firm. The Agency will not consider any application received after the deadline. The Agency reserves the right to contact applicants to seek clarification information on materials contained in the submitted application.

Rural Development Key Priorities: The Agency encourages applicants to consider projects that will advance the following key priorities (more details available at <https://www.rd.usda.gov/priority-points>):

- Reducing climate pollution and increasing resilience to the impacts of climate change through economic support to rural communities.
- Ensuring all rural residents have equitable access to RD programs and benefits from RD funded projects; and
- Assisting rural communities recover economically through more and better market opportunities and through improved infrastructure.

For further information, visit <https://www.rd.usda.gov/priority-points>.

A. Program Description

1. *Purpose of the Program.* The program is designed to assist qualified private organizations, nonprofit organizations, and public (including tribal) intermediary organizations, proposing to carry out financial and technical assistance programs to improve housing, community facilities, and community and economic development projects in rural areas. The RCDI program requires the intermediary (Grantee) to provide a program of financial and technical assistance to recipients. The recipients will, in turn, provide programs to their communities (beneficiaries).

2. Statutory and Regulatory Authority.

(a) Statutory: Congress created the RCDI program in 1999 (Pub. L. 106-78), and funding continued under the enactment of the Consolidated Appropriations Act, 2023 (Pub. L. 117-328). This program is implemented under the guidelines announced in this Notice and 2 CFR part 200.

(b) Persistent Poverty Counties: Section 736 of the Consolidated Appropriations Act, 2023, designated funding for projects in Persistent Poverty Counties, which is defined as “any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses, and 2007–2011 American Community Survey 5-year average, or any territory or possession of the United States.” Another provision in section 736 expands the eligible population in persistent poverty counties to include any county seat of such a persistent poverty county that has a population that does not exceed the authorized population limit by more than 10 percent. This provision expands the current 50,000 population limit to 55,000 for only county seats located in Persistent Poverty Counties. Therefore, recipients of technical assistance services located in county seats of Persistent Poverty County Counties with populations up to 55,000 (per the 2010 Census) are eligible. Funding in the amount of \$1.6 million is available to support Persistent Poverty Counties.

3. Definitions.

Agency- The Rural Housing Service or its successor.

Beneficiary- Entities or individuals that receive benefits from assistance provided by the recipient.

Capacity- The ability of a recipient to implement housing, community facilities, or community and economic development projects.

Conflict of interest- A situation in which a person or entity has competing personal, professional, or financial interests that make it difficult for the person or business to act impartially. Regarding use of both grant and matching funds, Federal procurement standards

prohibit transactions that involve a real or apparent conflict of interest for owners, employees, officers, agents, or their immediate family members having a financial or other interest in the outcome of the project; or that restrict open and free competition for unrestrained trade.

Specifically, project funds may not be used for services or goods going to, or coming from, a person or entity with a real or apparent conflict of interest, including, but not limited to, owner(s) and their immediate family members. An example of a conflict of interest occurs when an employee of the grantee, a member of the grantee's board of directors, or the immediate family of either, has the appearance of a professional or personal financial interest in a recipient receiving the benefits or services of the grant.

Federally recognized Tribes- Tribal entities recognized and eligible for funding and services from the Bureau of Indian Affairs, based on the most recent notice in the Federal Register published by the Bureau of Indian Affairs (pursuant to Pub. L. 103-454) and Tribes that received federal recognition after the most recent publication. Tribally designated housing entities (TDHE) are eligible RCDI recipients.

Financial assistance- Funds, not to exceed \$10,000 per award, used by the intermediary to purchase supplies and equipment to build the recipient's capacity.

Funds- The RCDI grant and matching funds that have been provided by the Grantee.

Intermediary- A qualified private organization, nonprofit organization (including faith-based and community organizations and philanthropic organizations), or public (including tribal) organization that provides financial and technical assistance to multiple recipients.

Low-income rural community- An authority, district, economic development authority, regional council, Federally recognized Tribe, or unit of government representing an incorporated city, town, village, county, township, parish, Indian reservation or borough whose income is at or below 80 percent of either the state or national Median Household Income as measured by the 2010 Census.

Matching funds- Cash or confirmed funding commitments. Matching funds must be at least equal to the grant amount and committed for a period of not less than the grant performance period.

Persistent Poverty County - Any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses, and 2007–2011 American Community Survey 5-year average, or any territory or possession of the United States.

Recipient- The entity that receives the financial and technical assistance from the intermediary. The recipient must be a nonprofit community-based housing and development organization, a low-income rural community or a federally recognized Tribe.

Rural and rural area- Any area other than (i) a city or town that has a population of greater than 50,000 inhabitants and (ii) the urbanized area contiguous and adjacent to such city or town.

Technical assistance- Skilled help in improving the recipient's abilities in the areas of housing, community facilities, or community and economic development.

4. *Application of Awards.* Awards under the RCDI Program are limited and are awarded through a competitive process. No reimbursement will be made for any funds expended prior to execution of the RCDI Grant Agreement unless the intermediary is a nonprofit or educational entity and has requested and received written Agency approval of the costs prior to the actual expenditure.

This exception is applicable for up to 90 days prior to grant closing and only applies to grantees that have received written approval but have not executed the RCDI Grant Agreement.

The Agency cannot retroactively approve reimbursement for expenditures prior to execution of the RCDI Grant Agreement.

B. Federal Award Information

Qualified private organizations, nonprofit organizations and public (including Tribal) intermediary organizations proposing to carry out financial and technical assistance programs will be eligible to receive grant funding.

The intermediary will be required to provide matching funds in an amount at least equal to the RCDI grant. In-kind contributions cannot be used as matching funds. Partnerships with other federal, state, local, private, and nonprofit entities are encouraged.

Type of Award: Grant.

Fiscal Year Funds: FY 2023.

Available Funds: \$6,000,000. Of this amount, \$1.6 million will be made available to projects located in or serving Persistent Poverties Counties.

Award Amounts: Grant funds are limited and are awarded through a competitive process.

Minimum/Maximum Award Amount: The minimum grant award is \$50,000 and the maximum award amount is \$500,000. The respective minimum and maximum grant amounts per intermediary are \$50,000 and \$500,000, respectively. The intermediary must provide a program of financial and technical assistance to recipients to develop their capacity and ability to undertake projects related to housing, community facilities, or community and economic development that will support the community.

Anticipated Award Date: August 15, 2023.

Performance Period: Grant funds must be utilized within three years from date of the award. A grantee that has an outstanding RCDI grant over three years old, as of the application due date in this Notice, is not eligible to apply for this round of funding.

The intermediary must provide a program of financial and technical assistance to one or more of the following: a private, nonprofit community-based housing and development organization, a low-income rural community or a Federally recognized Tribe. An intermediary

proposing to serve one or more federally recognized Tribe(s) must include a resolution of support with its application from the respective Tribe(s) it proposes to serve. If the resolution of support is not submitted for each respective Tribe, the Tribe will be considered ineligible as a recipient. This requirement is being added to ensure collaboration during the application process between intermediaries and all Tribes that they propose to serve.

An intermediary proposing to serve one or more federally recognized Tribes must include a resolution of support with its application from the Tribes it proposes to serve. If the resolution of support is not submitted for each Tribe, the Tribe will be considered ineligible as a recipient. This requirement is being added to ensure collaboration during the application process between intermediaries and all Tribes that they propose to serve.

Renewal or Supplemental Awards: Applicants must re-apply for an additional grant.

Type of Assistance Instrument: Grant agreement.

C. Eligibility Information

1. *Eligible Applicants.* Applicants must meet all the following eligibility requirements by the application deadline. Applications that fail to meet any of these requirements by the application deadline will be deemed ineligible, will not be evaluated further, and will not receive a Federal award under this funding opportunity:

(a) Qualified private organizations, nonprofit organizations (including faith-based organizations in accordance with 7 CFR part 16, community organizations and philanthropic foundations), and public (including Tribal) intermediary organizations are eligible applicants. Definitions that describe eligible organizations and other key terms are listed below.

(b) The recipient must be a nonprofit community-based housing and development organization, low-income rural community, or Federally recognized Tribe based on the RCDI definitions of these groups.

(c) Private nonprofit, faith, or community-based organizations must provide a certificate of incorporation and a certificate of good standing from the Secretary of State of the State of incorporation, or other similar and valid documentation of current nonprofit status. For low-income rural community recipients, the Agency requires evidence that the entity is a public body and census data verifying that the median household income of the community where the office receiving the financial and technical assistance is located is at, or below, 80 percent of the State or national median household income, whichever is higher. For federally recognized Tribes the Agency needs the page listing their name from the current Federal Register list of tribal entities recognized and eligible for funding services (see the definition of Federally recognized tribes in this Notice for details on this list). An intermediary proposing to serve one or more federally recognized Tribes must include a resolution of support with its application from the Tribes it proposes to serve. If the resolution of support is not submitted for each Tribe, the Tribe will be considered ineligible as a recipient. This requirement is being added to ensure collaboration during the application process between intermediaries and all Tribes that they propose to serve.

(d) Eligible applicants for the Persistent Poverty Counties set aside must demonstrate that 100 percent of the benefits of an approved grant will assist recipients in Persistent Poverty Counties. Eligibility Requirements outlined in Part C of this Notice will also apply to the Persistent Poverty Counties set aside.

(e) Any corporation that has been convicted of a felony criminal violation under any Federal law within the past 24 months; or has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed,

and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government, is not eligible for financial assistance in accordance with restrictions in sections 744 and 745 outlined in Division E, Title VII, “General Provisions- Government-Wide” of the Consolidated Appropriations Act, 2023 (Pub. L. 117-328).

2. *Cost Sharing or Matching.* Matching funds are required to be provided in an amount that, at a minimum, is equal to the amount of the grant. If this matching fund requirement is not met, the application will be deemed ineligible (*see*, the “Federal Award Information” section for the required pre-award and post award matching funds documentation submission).

(a) Matching funds must be in the form of cash or confirmed funding commitments that, at a minimum, are equal to the grant amount. Matching funds must also be committed for a period of not less than the grant performance period. These funds can only be used for eligible RCDI activities and must be used to support the overall purpose of the RCDI program.

(b) In-kind contributions such as salaries, donated time and effort, real and nonexpendable personal property, and goods and services cannot be used as matching funds.

(c) Grant funds and matching funds must be used in equal proportions. This does not mean funds have to be used equally by line item.

The request for advance or reimbursement and supporting documentation must show that RCDI fund usage does not exceed the cumulative amount of matching funds used.

(d) Grant funds will be disbursed pursuant to relevant provisions of 2 CFR parts 200 and 400 (*see*, the “Federal Award Information” section) for matching funds documentation and pre-award requirements.

(e) The intermediary is responsible for demonstrating that matching funds are available and committed for a period of not less than the grant performance period to the RCDI proposal. Matching funds may be provided by the intermediary or a third party. Other Federal funds may be used as matching funds if authorized by statute and the purpose of the funds is an eligible RCDI purpose.

(f) RCDI funds will be disbursed on an advance or reimbursement basis. Matching funds cannot be expended prior to execution of the RCDI Grant Agreement.

(g) Applicants must provide matching funds in an amount at least equal to the amount of the Federal grant. Successful applications will be selected by the Agency for funding and will be awarded from funds appropriated for the RCDI program.

3. Other Program Requirements. The recipient and beneficiary, but not the intermediary, must be in an eligible rural area. The physical location of the recipient’s office that will be receiving the financial and technical assistance must be in an eligible rural area. If the recipient is a low-income community, the median household income of the area where the office is located must be at or below 80 percent of the State or national median household income, whichever is higher. The applicable Rural Development State Office can assist in determining the eligibility of an area. A listing of Rural Development State Office contacts can be found at the following link: https://www.rd.usda.gov/files/CF_State_Office_Contacts.pdf. A map showing eligible rural areas can be found at the following link: <https://eligibility.sc.egov.usda.gov/eligibility/welcomeAction.do?pageAction=RBSmenu>.

(a) RCDI grantees that have an outstanding grant over 3 years old, as of the application due date in this Notice, will not be eligible to apply for this round of funding. Grant

and matching funds must be utilized in a timely manner to ensure that the goals and objectives of the program are met.

(b) Individuals cannot be recipients.

(c) The intermediary must provide a program of financial and technical assistance to the recipient.

(d) The intermediary organization must have been legally organized for a minimum of three years and have at least three years prior experience working with private nonprofit community-based housing and development organizations, low-income rural communities, or tribal organizations in the areas of housing, community facilities, or community and economic development. The intermediary organization may contract with a nonaffiliated organization for not more than 49 percent of the awarded grant to provide the proposed technical assistance.

(e) Proposals must be structured to utilize the grant funds within 3 years from the date of the award.

(f) Each applicant, whether individually or jointly, may only submit one application for RCDI funds under this Notice. This restriction does not preclude the applicant from providing matching funds for other applications.

(g) Recipients can benefit from more than one RCDI application; however, after grant selections are made, the recipient can only benefit from multiple RCDI grants if the type of financial and technical assistance the recipient will receive is not duplicative. The services described in multiple RCDI grant applications must have separate and identifiable accounts for compliance purposes.

(h) The intermediary and the recipient cannot be the same entity. The recipient can be a related entity to the intermediary, if it meets the definition of a recipient, provided the

relationship does not create a Conflict of Interest that cannot be resolved to Rural Development's satisfaction.

(i) If the recipient is a low-income rural community, identify the unit of government to which the financial and technical assistance will be provided (*e.g.*, town council or village board). The financial and technical assistance must be provided to the organized unit of government representing that community, not the community at large.

(j) An intermediary proposing to serve one or more Federally recognized Tribes must include a resolution of support with its application from the Tribes it proposes to serve. If the resolution of support is not submitted for each Tribe, the Tribe will be considered ineligible as a recipient. This requirement is being added to ensure collaboration during the application process between intermediaries and all Tribes that they propose to serve.

(k) Applicants for set aside funds must indicate that they are applying for set aside funds and may not submit a duplicate application for regular RCDI funds.

D. Application and Submission Information

1. *Address to Request Application Package.* Entities wishing to apply for assistance may download the application documents and requirements delineated in this Notice from the RCDI website: <https://www.rd.usda.gov/programs-services/community-facilities/rural-community-development-initiative-grants>. Application information for electronic submissions may be found at <https://www.grants.gov>.

Applicants may also request paper application packages from the Rural Development office in their state. A list of Rural Development State Office contacts can be found via https://www.rd.usda.gov/files/CF_State_Office_Contacts.pdf.

2. *Content and Form of Application Submission.* If the applicant is ineligible or the application is incomplete, the Agency will inform the applicant in writing of the decision, reasons therefore, and its appeal rights and no further evaluation of the application will occur.

A complete application for RCDI funds must include the following:

(a) A summary page, double-spaced between items, listing the following:

(This information should not be presented in narrative form.)

- Applicant's name,
- Applicant's address,
- Applicant's telephone number,
- Name of applicant's contact person, email address and telephone number,
- County where applicant is located,
- Congressional district number where applicant is located,
- Amount of grant request, and
- Number of recipients.

(b) A detailed Table of Contents containing page numbers for each component of the application.

(c) A project overview, no longer than one page, including the following items, which will also be addressed separately and in detail under "Building Capacity and Expertise" of the "Evaluation Criteria."

- The type of technical assistance to be provided to the recipients and how it will be implemented.
- How the capacity and ability of the recipients will be improved.
- The overall goals to be accomplished.

- The benchmarks to be used to measure the success of the program.

Benchmarks should be specific and quantifiable.

(d) Organizational documents, such as a certificate of incorporation and a current good standing certification from the Secretary of State where the applicant is incorporated and other similar and valid documentation of current status, from the intermediary that confirms it has been legally organized for a minimum of three years as the applicant entity.

(e) Verification of source and amount of matching funds, (*e.g.*, a copy of a complete bank statement if matching funds are in cash or a copy of the confirmed funding commitment from the funding source).

The verification must show that matching funds are available for the duration of the grant performance period. The verification of matching funds must be submitted with the application, or the application will be considered incomplete.

The applicant will be contacted by the Agency prior to grant award to verify that the matching funds provided with the application continue to be available. The applicant will have 15 days from the date contacted to submit verification that matching funds continue to be available.

If the applicant is unable to provide the verification within that timeframe, the application will be considered ineligible. The applicant must maintain bank statements on file or other documentation for a period of at least three years after grant closing except that the records shall be retained beyond the three-year period if audit findings have not been resolved.

(f) The following information for each recipient:

- Recipient's entity name,
- Complete address (mailing and physical location, if different),
- County where located,

- Number for Congressional district where recipient is located,
- Contact person's name, email address and telephone number and,
- Form RD 400–4, “Assurance Agreement.” If the Form RD 400–4 is not

submitted for each recipient, the recipient will be considered ineligible. No information pertaining to that recipient will be included in the income or population scoring criteria and the requested funding may be adjusted due to the deletion of the recipient.

(g) Submit evidence that each recipient entity is eligible. Documentation must be submitted to verify recipient eligibility. Links to websites are not acceptable. Acceptable documentation varies depending on the type of recipient:

(1) *Nonprofits*—provide a current valid letter confirming nonprofit status from the Secretary of State of the State of incorporation, a current good standing certification from the Secretary of State of the State of incorporation, or other valid documentation of current nonprofit status of each recipient.

A nonprofit recipient must provide evidence that it is a valid nonprofit when the intermediary applies for the RCDI grant. Organizations with pending requests for nonprofit designations are not eligible.

(2) *Low-income rural community*— provide evidence the entity is a public body (*e.g.*, copy of Charter, relevant Acts of Assembly, relevant court orders (if created judicially) or other valid documentation), a copy of the 2010 census data to verify the population, and 2010 American Community Survey (ACS) 5-year estimates (2006—2010 data set) data as evidence that the median household income is at, or below, 80 percent of either the State or national median household income. We will only accept data and printouts from <https://data.census.gov/cedsci/>.

(3) *Federally recognized Tribes*— The 2023 list is available at 88 FR 2112, pages 2112 – 2116 at the following link: <https://www.govinfo.gov/content/pkg/FR-2023-01->

12/pdf/2023-00504.pdf. For Tribes that received federal recognition status publication, outside the publication cited above, statutory citations and additional documentation will suffice.

An intermediary proposing to serve one or more federally recognized Tribes must include a resolution of support with its application from the Tribes it proposes to serve. If the resolution of support is not submitted for each Tribe, the Tribe will be considered ineligible as a recipient. This requirement is being added to ensure collaboration during the application process between intermediaries and all Tribes that they propose to serve.

(4) Applicants for set aside funds must indicate that they are applying for set aside funds. Applicant must identify the Persistent Poverty County for each recipient. All recipients must be located in a Persistent Poverty County to be eligible for the Persistent Poverty County set aside. Counties that are considered to be Persistent Poverty may be found under the map entitled “Persistent Poverty” on the following Web site: <https://www.ers.usda.gov/data-products/poverty-area-measures/descriptions-and-maps/> or contact your Rural Development State Office at the following link: https://www.rd.usda.gov/files/CF_State_Office_Contacts.pdf.

(h) Each of the “Evaluation Criteria” must be addressed specifically and individually by category. Present these criteria in narrative form. Narrative (not including attachments) must be limited to five pages per criterion. The “Population and Income” criteria for recipient locations can be provided in the form of a list; however, the source of the data must be included on the page(s).

(i) A timeline identifying specific activities and proposed dates for completion.

(j) A detailed project budget that includes the RCDI grant amount and matching funds. This should be a line-item budget, by category. Categories such as salaries, administrative, other, and indirect costs that pertain to the proposed project must be clearly defined. Supporting documentation listing the components of these categories must be included. The budget should be dated: year 1, year 2, and year 3, as applicable.

(k) The indirect cost category in the project budget should be used only when a grant applicant has a federally negotiated indirect cost rate. A copy of the current rate agreement must be provided with the application. Non-federal entities that have never received a negotiated indirect cost rate, except for those non-Federal entities described in Appendix VII to Part 200-States and Local Government and Indian Tribe Indirect Cost Proposals, paragraph (D)(1)(b), may use the de minimis rate of 10 percent of modified total direct costs (MTDC).

(l) Form SF-424, “Application for Federal Assistance.”

(Do not complete Form SF-424A, “Budget Information.” A separate line-item budget should be presented as described in Letter (j) of this section.)

(m) Certification of Non-Lobbying Activities, RD Instruction 1940-Q Exhibit A-1, “Certification for Contracts, Grants and Loans” or equivalent.

(n) Standard Form LLL, “Disclosure of Lobbying Activities,” if applicable.

Applicants must collect and maintain data provided by recipients on race, sex, and national origin and ensure Ultimate Recipients collect and maintain this data. Race and ethnicity data will be collected in accordance with OMB Federal Register notice, “Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity” (62 FR 58782), October 30, 1997. Sex data will be collected in accordance with Title IX of the Education Amendments of 1972. These items should not be submitted with the application but should be available upon request by the Agency.

The applicant and the recipient must comply with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Americans with Disabilities Act (ADA), section 504 of the Rehabilitation Act of 1973, Age Discrimination Act of 1975, Executive Order 12250, Executive Order 13166 Limited English Proficiency (LEP), and 7 CFR part 1901, subpart E.

(o) Identify and report any association or relationship with Rural Development employees. (A statement acknowledging whether or not a relationship exists is required.)

3. *System for Award Management and Unique Entity Identifier.* At the time of application, each applicant must have an active registration in the System for Award Management (SAM) before submitting its application in accordance with 2 CFR part 25 (<https://www.ecfr.gov/current/title-2/subtitle-A/chapter-I/part-25>). In order to register in SAM, entities will be required to obtain a Unique Entity Identifier (UEI). Instructions for obtaining the UEI are available at <https://sam.gov/content/entity-registration>.

(a) Applicants must maintain an active SAM registration, with current, accurate and complete information, at all times during which it has an active Federal award or an application under consideration by a Federal awarding agency.

(b) Applicants must ensure they complete the Financial Assistance General Certifications and Representations in SAM.

(c) Applicants must provide a valid UEI in its application, unless determined exempt under 2 CFR 25.110 (<https://www.ecfr.gov/current/title-2/subtitle-A/chapter-I/part-25/subpart-A/section-25.110>).

(d) Each applicant must provide documentation that it is registered in SAM and include its UEI number. If the applicant does not provide documentation confirming that it is registered in SAM and its UEI number, the application will not be considered for funding.

(e) The Agency will not make an award until the applicant has complied with all SAM requirements including providing the UEI. If an applicant has not fully complied with the requirements by the time the Agency is ready to make an award, the Agency may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

4. *Submission Dates and Times.* Completed applications must be submitted using one of the following methods:

- *Paper submissions:* Paper application must be received by 4:00 p.m. local time by the Rural Development State Office where the applicant's headquarters is located. **[INSERT 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**. Applicants intending to mail applications must provide sufficient time to permit delivery on or before the closing deadline date and time. Acceptance by the United States Postal Service or private mailer does not constitute delivery. Facsimile (FAX), electronic mail, and postage due applications will not be accepted. The application dates and times are firm. The Agency will not consider any application received after the deadline. To submit a paper application, the original application package must be submitted to the Rural Development State Office where the applicant's headquarters is located. The address for the headquarters of each USDA Rural Development State Office can be accessed at https://www.rd.usda.gov/files/CF_State_Office_Contacts.pdf. The applicant should contact the USDA Rural Development State Office to see if applications may be submitted to Field Offices within the state.

Applicants may also request paper application packages from the Rural Development office in their state. A list of Rural Development State Office contacts can be found via https://www.rd.usda.gov/files/CF_State_Office_Contacts.pdf.

- *Electronic submissions:* Applications will not be accepted via FAX or electronic mail. Applicants may file an electronic application at <https://www.grants.gov>. Applicants wanting to apply for assistance may download the application documents and requirements as stated in this Notice from the RCDI website: <https://www.rd.usda.gov/programs-services/community-facilities/rural-community-development-initiative-grants>. Application information for electronic submissions may be found at <https://www.Grants.gov/>. Electronic applications must be submitted via Grants.gov by 11:59

p.m. Eastern Time on **[INSERT 55 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER]**. The application dates and times are firm. The Agency will not consider any application received after the deadline. Follow the instructions at [Grants.gov](https://www.Grants.gov) for registering and submitting an electronic application. If a system problem or technical difficulty occurs with an electronic application, please use the customer support resources available at the *Grants.gov* website.

Technical difficulties applying through *Grants.gov* will not be a reason to extend the application deadline. If an application is unable to be submitted through *Grants.gov*, a paper application must be received in the appropriate Rural Development State Office by the deadline noted previously.

5. Intergovernmental Review. This program is subject to Executive Order 12372, which requires intergovernmental consultation with state and local officials. Rural Development conducts intergovernmental consultation as implemented with 2 CFR part 415, subpart C. Not all States have chosen to participate in the intergovernmental review process. A list of participating States is available at the following Web site: <https://www.usda.gov/ocfo/federal-financial-assistance-policy/intergovernmental-review>.

6. Funding Restrictions. The following are examples of eligible and ineligible purposes under the RCDI program. Activities that meet the objectives of the RCDI program and meet the criteria outlined in this Notice will be considered eligible. These examples are illustrative and are not meant to limit the activities proposed in the application:

(a) The intermediary must work directly with the recipient, not the ultimate beneficiaries. For example:

The intermediary provides training and technical assistance to the recipients on developing and updating materials related to the prevention, treatment and recovery activities for

opioid use disorder and ensures that high-quality training is provided to communities affected by the opioid epidemic.

(b) The intermediary provides training to the recipient on how to conduct homeownership education classes. The recipient then provides ongoing homeownership education to the residents of the community—the ultimate beneficiaries. This “train the trainer” concept fully meets the intent of this initiative. The intermediary is providing technical assistance that will build the recipient’s capacity by enabling it to conduct homeownership education classes for the public.

This is an eligible purpose. However, if the intermediary directly provided homeownership education classes to individuals in the recipient’s service area, this would not be an eligible purpose because the recipient would be bypassed.

(c) If the intermediary is working with a low-income community as the recipient, the intermediary must provide the technical assistance to the entity that represents the low-income community and is identified in the application. Examples of entities representing a low-income community are a village board or a town council.

If the intermediary provides technical assistance to the Board of the low-income community on how to establish a cooperative, this would be an eligible purpose. However, if the intermediary works directly with individuals from the community to establish the cooperative, this is not an eligible purpose.

The recipient’s capacity is built by learning skills that will enable it to support sustainable economic development in its community on an ongoing basis.

(d) The intermediary may provide technical assistance to the recipient on how to create and operate a revolving loan fund. The intermediary may not monitor or operate the

revolving loan fund. RCDI funds, including matching funds, cannot be used to fund revolving loan funds.

(e) The intermediary may work with recipients to build their capacity to provide planning and leadership development training. The recipients of this training would be expected to assume leadership roles in the development and execution of regional strategic plans. The intermediary would work with multiple recipients in helping communities recognize their connections to the greater regional and national economies.

(f) The intermediary could provide training and technical assistance to the recipients on developing emergency shelter and feeding, short-term housing, search and rescue, and environmental accident, prevention, and cleanup program plans. For longer term disaster and economic crisis responses, the intermediary could work with the recipients to develop job placement and training programs and develop coordinated transit systems for displaced workers.

7. Other Submission Requirements. Fund uses must be consistent with the RCDI purpose. Eligible purposes of grant funds include, but are not limited to, the following:

(a) Provide technical assistance to develop recipients' capacity and ability to undertake projects related to housing, community facilities, or community and economic development, (*e.g.*, the intermediary hires a staff person to provide technical assistance to the recipient or the recipient hires a staff person, under the supervision of the intermediary, to carry out the technical assistance provided by the intermediary). Hiring must support the intermediary's training purpose. Additional staff can be hired as a secondary purpose needed to carry out technical assistance/training to the recipient and must support the intermediary's training purpose.

(b) Develop the capacity of recipients to conduct community development programs, (*e.g.*, homeownership education or training for business entrepreneurs).

(c) Develop the capacity of recipients to conduct developmental initiatives (*e.g.*, programs that support micro-enterprise and sustainable development).

(d) Develop the capacity of recipients to increase their leveraging ability and access to alternative funding sources by providing training and staffing.

(e) Develop the capacity of recipients to provide the technical assistance component for essential community facilities projects.

(f) Assist recipients in completing pre-development requirements for housing, community facilities, or community and economic development projects by providing resources for professional services, *e.g.*, architectural, engineering, or legal. While this is an eligible purpose, applicant needs to ensure the capacity of the recipient is being expanded with appropriate training during the process.

(g) Improve recipient's organizational capacity by providing training and resource material on developing strategic plans, board operations, management, financial systems, and information technology.

(h) Purchase of computers, software, and printers is limited to \$10,000 per award at the recipient level when directly related to the technical assistance program being undertaken by the intermediary.

(i) Provide funds to recipients for training-related travel costs and training expenses related to RCDI.

The following is a list of ineligible uses of grant funds:

- Pass-through grants, and any funds provided to the recipient in a lump sum that are not reimbursements.
- Funding a revolving loan fund (RLF).
- Construction (in any form).

- Salaries for positions involved in construction, renovations, rehabilitation, and any oversight of these types of activities.

- Intermediary preparation of strategic plans for recipients.
- Funding prostitution, gambling, or any illegal activities.
- Grants to individuals.
- Funding a grant where there may be a conflict of interest, or an appearance of a conflict of interest, involving any action by the Agency.

- Paying obligations incurred before the beginning date without prior Agency approval or after the ending date of the grant agreement.

- Purchasing real estate.
- Improvement or renovation of the grantee or recipient's office space or for the repair or maintenance of privately-owned vehicles.

- Any purpose prohibited in 2 CFR part 200 or 400.
- Using funds for recipient's general operating costs.
- Using grant or matching funds for Individual Development Accounts.
- Purchasing vehicles.
- In accordance with 31 U.S.C. 1345, "Expenses of Meetings," appropriations may not be used for travel, transportation, and subsistence expenses for a meeting. RCDI grant funds cannot be used for these meeting-related expenses. Matching funds may, however, be used to pay for these expenses.

RCDI funds may be used to pay for a speaker as part of a program, equipment to facilitate the program, and the actual room that will house the meeting.

RCDI funds cannot be used for meetings; they can, however, be used for travel, transportation, or subsistence expenses for program-related training and technical assistance purposes. Any training not delineated in the application must be approved by the Agency to

verify compliance with 31 U.S.C. 1345. Travel and per diem expenses (including meals and incidental expenses) will be allowed in accordance with 2 CFR parts 200 and 400.

E. Application Review Information

1. *Criteria-* All eligible and complete applications will be evaluated and scored based on the selection criteria and weights contained in 2 CFR parts 200 and 400. Failure to address any of the application criteria by the application deadline will result in the application being determined ineligible, and the application will not be considered for funding.

All applications that are complete and eligible will be scored and ranked competitively. The categories for scoring criteria used are the following:

(a) Building Capacity and Expertise—Maximum 40 Points

The applicant must demonstrate how it will improve the recipients' capacity, through a program of financial and technical assistance, as it relates to the RCDI purposes.

Capacity- Building financial and technical assistance should provide new functions to the recipients or expand existing functions that will enable the recipients to undertake projects in the areas of housing, community facilities, or community and economic development that will benefit the community. Capacity-building financial and technical assistance may include, but is not limited to: training to conduct community development programs (*e.g.*, homeownership education, or the establishment of minority business entrepreneurs, cooperatives, or micro-enterprises); organizational development (*e.g.*, assistance to develop or improve board operations, management, and financial systems); instruction on how to develop and implement a strategic plan; instruction on how to access alternative funding sources to increase leveraging opportunities; and, staffing (*e.g.*, hiring a person at intermediary or recipient level to provide technical assistance to recipients).

The program of financial and technical assistance that is to be provided, its delivery, and the measurability of the program's effectiveness will determine the merit of the application.

All applications will be competitively ranked and the applications providing the most improvement in capacity development and measurable activities being ranked the highest.

The narrative response must contain the following items. This list also contains the points for each item.

(1) Describe the nature of financial and technical assistance to be provided to the recipients and the activities that will be conducted to deliver the technical assistance (10 Points).

(2) Explain how financial and technical assistance will develop or increase the recipient's capacity. Indicate whether a new function is being developed or if existing functions are being expanded or performed more effectively (7 Points).

(3) Identify which RCDI purpose areas will be addressed with this assistance: Housing, community facilities, or community and economic development (3 Points).

(4) Describe how the results of the technical assistance will be measured and describe the benchmarks to be used to measure effectiveness. Benchmarks should be specific and quantifiable (5 Points).

(5) Demonstrate that the applicant/intermediary has conducted programs of financial and technical assistance and achieved measurable results in the areas of housing, community facilities, or community and economic development in rural areas (10 Points).

(6) Provide in a chart or excel spreadsheet, the organization name, point of contact, address, phone number, email address, and the type and amount of the financial and technical assistance the applicant organization has provided to the following for the last 3 years (5 Points).

- Nonprofit organizations in rural areas.

- Low-income communities in rural areas (also identify the type of entity, *e.g.*, city government, town council, or village board).
- Federally recognized Tribes or any other culturally diverse organizations.

(b) Soundness of Approach—Maximum 15 Points

The applicant can receive up to 15 points for soundness of approach. The overall proposal will be considered under this criterion.

The maximum of 15 points for this criterion will be based on the following:

- (1) The proposal fits the objectives for which applications were invited, is clearly stated, and the applicant has defined how this proposal will be implemented (7 Points).
- (2) The ability to provide the proposed financial and technical assistance based on prior accomplishments (6 Points).
- (3) Cost effectiveness will be evaluated based on the budget in the application. The proposed grant amount and matching funds should be utilized to maximize capacity building at the recipient level (2 Points).

(c) Population and Income—Maximum 15 Points

Population is based on the average population from the 2010 census data for the communities in which the recipients are located. The physical address (i.e., street address), not a P.O. Box or other mailing address, for each recipient must be used for this criterion. Community is defined for scoring purposes as a city, town, village, county, parish, borough, Indian reservation or census-designated place where the recipient's office is physically located.

The applicant must submit the census data from the following website in the form of a printout to verify the population figures used for each recipient. The data can be accessed on the

internet at <https://data.census.gov/cedsci/>. Enter location, P1 (*i.e.*, Parma, Idaho, P1) and click “search”; the name and population data for each recipient location must be listed in this section.

The average population of the recipient locations will be used and will be scored as follows in the table illustrated below:

Population	Scoring (points)
10,000 or less	5
10,001 to 20,000	4
20,001 to 30,000	3
30,001 to 40,000	2
40,001 to 50,000	1

The average of the median household income for the communities where the recipients are physically located will determine the points awarded. The physical address, not mailing address, for each recipient must be used for this criterion. Applicants may compare the average recipient median household income to the State median household income or the national median household income, whichever yields the most points. The national median household income to be used is \$51,914.

The applicant must submit the income data in the form of a printout of the applicable information from the following website to verify the income for each recipient. The data being used is from the 2010 American Community Survey (ACS) 5-year estimates (2006 — 2010 data set). The data can be accessed on the internet at <https://data.census.gov/cedsci/>; enter location, S1903 (*i.e.*, Parma, Idaho, S1903), click on “Search,” click the “+” symbol to expand the table, and select the 2010 ACS–5-year estimates table. Use the Household and Median Income column. The name and income data for each recipient location must be listed in this section.

Points will be awarded as follows in the table illustrated below:

Average recipient median income	Scoring (points)
Less than or equal to 70 percent of state or national median household income	10
Greater than 70, but less than or equal to 80 percent of state or national median household income	5
In excess of 80 percent of state or national median household income	0

(d) State Director's Points Based on Project Merit—Maximum 10 Points

(1) This criterion will be addressed by the Agency, not the applicant.

(2) The State Director may award up to 10 discretionary points for the highest priority project in each state, up to 7 points for the second highest priority project in each state and up to 5 points for the third highest priority project.

Information on whether your project qualifies for priority points can be found at the following web site: <https://www.rd.usda.gov/priority-points>. Provided that all other requirements set forth in the notice are otherwise met, the discretionary points may be awarded to applicants proposing to advance either of the following three key priorities:

(a) Reducing climate pollution and increasing resilience to the impacts of climate change through economic support to rural communities (**up to 3 points**). Priority will be given to proposals that address climate crisis through projects that:

- reduce climate pollution; promote energy efficiency and clean transportation; increase renewable energy production; revitalize recreation economies and the economies of coal, oil and gas, and power plant communities; increase resilience to the impacts of climate change; protect the public; and conserve our lands, waters, and biodiversity or
- spur well-paying union jobs and economic growth, especially through innovation, commercialization, deployment of clean energy technologies and infrastructure or
- advance environmental justice in historically marginalized and other communities overburdened by pollution where economic hurdles include underinvestment in housing, transportation, water, wastewater, and clean energy infrastructure, as well as workforce development and health care needs.

Priority Points: Applicant can receive priority points through one of two options listed below:

Option 1: Applicants will receive priority points if the project is located in or serving an energy community (fossil fuel dependent - coal, oil and gas, and power plant communities) whose economic well-being ranks in the most distressed tier of the Distressed Communities Index. The energy community list is defined by the Report to the President on Empowering Workers Through Revitalizing Energy Communities: <https://netl.doe.gov/IWGInitialReport>. The Distressed Communities Index provides a score between 1-100 for every community at the zip code level. The most distressed tier of the index are those communities with a score over 80. Please use the look up map (<https://ruraldevelopment.maps.arcgis.com/apps/webappviewer/index.html?id=86027863e066487ca1b33dc9217a70d1>) or list at the following link: <https://www.rd.usda.gov/sites/default/files/FY2023-Distressed-Energy-List.xlsx> to determine if your project qualifies for priority points.

Option 2: Applicants will receive priority points by demonstrating through written narrative how proposed climate-impact projects improve the livelihoods of community residents and meet pollution mitigation or clean energy goals.

(b) Priority points (**up to 3 points**) may be awarded if the project is ensuring all rural residents have equitable access to RD programs and benefits from RD funded projects. Information on whether your project qualifies for priority points can be found at the following web site: <https://www.rd.usda.gov/priority-points>.

(c) Priority points (**up to 4 points**) may be awarded if the project is assisting rural communities recover economically through more and better market opportunities and through improved infrastructure. Information on whether your project qualifies for priority points can be found at the following web site: <https://www.rd.usda.gov/priority-points>. Applicants receive priority points if the project is located in or serving one of the top 10% of counties or county equivalents based upon county risk score in the United States. Please use the Economic Risk Assessment Dashboard to determine if the county your project serves qualifies for priority points. The top 10% of counties or county equivalents are highlighted in red on the dashboard. Please use the Economic Risk Assessment Dashboard (<https://public.tableau.com/app/profile/topher.aston/viz/ECONOMICRISKASSESSMENTDASHBOARD/Dashboard1#1>). US Territories would obtain points by using local data regarding how economic risk factors in the dashboard have impacted proposed project area.

- These points may be awarded by the Rural Development State Director to any application(s) that benefits their State regardless of whether the applicant is headquartered in their State.
- When an intermediary submits an application that will benefit a State that is not the same as the State in which the intermediary is headquartered, it is the intermediary's responsibility to notify the State Director of the State which is receiving the benefit of its application. In such

cases, State Directors awarding points to applications benefiting their state must notify the reviewing State in writing.

- Assignment of any points under this criterion requires a written justification and must be tied to and awarded based on how closely the application aligns with the Rural Development State Office's strategic goals.

(e) Administrator Discretionary Points— Maximum 20 Points

The Administrator may award up to 20 discretionary points for projects to address items such as geographic distribution of funds, emergency conditions caused by economic problems, natural disasters and other initiatives identified by the Secretary. The Administrator may also award points to any application that will advance the following key priorities:

Reducing climate pollution and increasing resilience to the impacts of climate change through economic support to rural communities. Priority will be given to proposals that address climate crisis through projects that:

- reduce climate pollution; promote energy efficiency and clean transportation; increase renewable energy production; revitalize recreation economies and the economies of coal, oil and gas, and power plant communities; increase resilience to the impacts of climate change; protect the public; and conserve our lands, waters, and biodiversity or
- spur well-paying union jobs and economic growth, especially through innovation, commercialization, deployment of clean energy technologies and infrastructure or
- advance environmental justice in historically marginalized and other communities overburdened by pollution where economic hurdles include underinvestment in housing, transportation, water, wastewater, and clean energy infrastructure, as well as workforce development and health care needs.

Priority Points: Applicants can receive priority points through one of two options listed below:

Option 1: Applicants will receive points if the project is located in or serving an energy community (fossil fuel dependent - coal, oil and gas, and power plant communities) whose economic well-being ranks in the most distressed tier of the Distressed Communities Index. The energy community list is defined by the Report to the President on Empowering Workers Through Revitalizing Energy Communities: <https://netl.doe.gov/IWGInitialReport> The Distressed Communities Index provides a score between 1-100 for every community at the zip code level. The most distressed tier of the index are those communities with a score over 80. Please use the look up map (<https://ruraldevelopment.maps.arcgis.com/apps/webappviewer/index.html?id=86027863e066487ca1b33dc9217a70d1>) or list to determine if your project qualifies for priority points.

Option 2: Applicants will receive points by demonstrating through written narrative how proposed climate-impact projects improve the livelihoods of community residents and meet pollution mitigation or clean energy goals.

(b) Priority points may be awarded if the project is ensuring all rural residents have equitable access to RD programs and benefits from RD funded projects. Information on whether your project qualifies for priority points can be found at the following web site: <https://www.rd.usda.gov/priority-points>.

(c) Priority points may be awarded if the project is assisting rural communities recover economically through more and better market opportunities and through improved infrastructure. Information on whether your project qualifies for priority points can be found at the following web site: <https://www.rd.usda.gov/priority-points>. Applicants receive priority points if the project is located in or serving one of the top 10% of counties or county equivalents based upon county risk score in the United States. Please use the Economic Risk Assessment Dashboard to determine if the county your project serves qualifies for priority points. The top 10% of counties or county equivalents are highlighted in red on the dashboard. Please use the Economic Risk

Assessment Dashboard

(<https://public.tableau.com/app/profile/topher.aston/viz/ECONOMICRISKASSESSMENTDASHBOARD/Dashboard1#1>). US Territories would obtain points by using local data regarding how economic risk factors in the dashboard have impacted proposed project area.

2. Review and Selection Process- If requests exceed funds available, the applications will be rated and ranked on a national basis by a review panel based on the “Application Review Information” contained in this Notice. If any eligible applications for Persistent Poverty County set aside funding are not funded due to insufficient funds, such applications will be allowed to compete for available FY 2023 regular RCDI funds.

(a) If there is a tied score after the applications have been rated and ranked, the tie will be resolved by reviewing the scores for “Building Capacity and Expertise” and the applicant with the highest score in that category will receive a higher ranking. If the scores for “Building Capacity and Expertise” are the same, the scores will be compared for the next criterion, in sequential order, until the highest score can be determined.

(b) Initial screening: The Agency will screen each application to determine eligibility during the period immediately following the application deadline. Listed below are examples of reasons for rejection from previous funding rounds. The following reasons for rejection are not all inclusive; however, they represent the majority of the applications previously rejected.

- Recipients were not located in eligible rural areas based on the definition in this Notice.
- Applicants failed to provide evidence of recipient’s status, *i.e.*, documentation supporting nonprofit evidence of organization.
- Applicants failed to provide evidence of committed matching funds or matching funds were not committed for a period at least equal to the grant performance period.
- Application did not follow the RCDI structure with an intermediary and recipients.

- Recipients were not identified in the application.
- Intermediary did not provide evidence it had been incorporated for at least three years as the applicant entity.

- Applicants failed to address the “Application Review Information” in this Notice.
- The purpose of the proposal did not qualify as an eligible RCDI purpose.
- Inappropriate use of funds (*e.g.*, construction or renovations).
- The applicant proposed providing financial and technical assistance directly to individuals.

- The application package was not received by closing date and time.

3. *Anticipated Announcement and Federal Award Dates*- August 15, 2023.

F. Federal Award Administration Information

1. *Federal Award Notices*- Within the limit of funds available for such purpose, the awarding official of the Agency shall make grants in ranked order to eligible applicants under the procedures set forth in this Notice.

Successful applicants will receive a selection letter by mail containing instructions on requirements necessary to proceed with execution and performance of the award. This letter is not an authorization to begin performance. In addition, selected applicants will be requested to verify that components of the application have not changed at the time of selection and on the award obligation date, if requested by the Agency.

The award is not approved until all information has been verified, and the awarding official of the Agency has signed Form RD 1940–1, “Request for Obligation of Funds” and the grant agreement.

Unsuccessful applicants will receive notification, including notification of appeal rights, by mail.

2. *Administrative and National Policy Requirements*- There are no known unusual Administrative and National Policy Requirements associated with the Community Facilities Program.

3. *Reporting*- After grant approval and through grant completion, you will be required to provide the following, as indicated in the Grant Agreement:

(a) SF-425, “Federal Financial Report” and SF-PPR, “Performance Progress Report” will be required on a quarterly basis (due 30 working days after each calendar quarter). The Performance Progress Report shall include the elements described in the grant agreement.

(b) Final financial and performance reports will be due 90 calendar days after the period of performance end date.

(c) A summary at the end of the final report with elements as described in the grant agreement to assist in documenting the annual performance goals of the RCDI program for Congress.

G. Federal Awarding Agency Contacts

Contact the Rural Development State Office where the applicant’s headquarters is located. A list of Rural Development State Offices contacts can be found via https://www.rd.usda.gov/files/CF_State_Office_Contacts.pdf.

H. Build America, Buy America

The Infrastructure Investment and Jobs Act (IIJA) (Public Law. 117-58), requires the following Buy America preference:

(a) All iron and steel used in the project are produced in the United States. This means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.

(b) All manufactured products used in the project are produced in the United States. This means the manufactured product was manufactured in the United States, and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation.

(c) All construction materials are manufactured in the United States. This means that all manufacturing processes for the construction material occurred in the United States.

Awards under this announcement for infrastructure projects to non-federal entities, defined pursuant to 2 CFR 200.1 as any State, local government, Indian tribe, Institution of Higher Education, or nonprofit organization, shall be governed by the requirements of section 70914 of the Build America, Buy America Act (BABAA) within the IIJA, and its implementing regulations. Infrastructure projects include structures, facilities, and equipment that generate, transport, and distribute fuel or energy, including electric vehicle (EV) charging stations. Infrastructure projects also include structures, facilities, and equipment for roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property.

In accordance with BABAA, however, USDA has determined that de minimis, small grants, and minor components shall be waived from the requirements of BABAA, pursuant to a public interest waiver that was granted to the Department on September 13, 2022. See <https://www.usda.gov/sites/default/files/documents/usda-departmentwide-de-minimis-small-grants-minor-components-waiver-final-approved-09132022.pdf>. Under such waiver, small grants below the Simplified Acquisition Threshold, which is currently set at \$250,000 shall not be subject to BABAA. Additionally, de minimis and minor components, as described in the Department waiver, are also not subject to BABAA. Applicants and projects that are subject to BABAA may request other specific waivers, pursuant to the requirements posted at the USDA Office of the Chief Financial Officer Office website: <https://www.usda.gov/ocfo/federal-financial-assistance-policy/USDABuyAmericaWaiver>. For-profit entities and other entities not included in the definition of Non-Federal Entities, defined pursuant to 2 CFR 200.1, are not subject to BABAA.

Funding to Non-Federal Entities. Awardees that are Non-Federal Entities, defined by 2 CFR 200.1 as any State, local government, Indian tribe, Institution of Higher Education, or nonprofit organization, shall be governed by the requirements of section 70914 of the Build America, Buy America Act (BABAA) within the IIJA. Any requests for waiver of these requirements must be submitted pursuant to USDA's guidance available online at <https://www.usda.gov/ocfo/federal-financial-assistance-policy/USDABuyAmericaWaiver>.

I. Other Information

1. *Civil Rights Requirements-* All grants made under this Notice are subject to Title VI of the Civil Rights Act of 1964 as required by the USDA in 7 CFR part 15, subpart A and section 504 of the Rehabilitation Act of 1973, Title VIII of the Civil Rights Act of 1968, Title IX,

Executive Order 13166 (Limited English Proficiency), Executive Order 11246, and the Equal Credit Opportunity Act of 1974.

2. *Paperwork Reduction Act*- The paperwork burden has been approved by the Office of Management and Budget (OMB) under OMB Control Number 0575–0180.

3. *National Environmental Policy Act*- All recipients under this notice are subject to the requirements of 7 CFR part 1970, available at: <https://rd.usda.gov/resources/environmental-studies/environmental-guidance>.

4. *Nondiscrimination Statement*- In accordance with Federal civil rights laws and USDA civil rights regulations and policies, the USDA, its Mission Areas, agencies, staff offices, employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language) should contact the responsible Mission Area, agency, or staff office; the USDA TARGET Center at (202) 720-2600 (voice and TTY); or the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form, which can be obtained online at, <https://www.usda.gov/oascr/filing-program-discrimination-complaint-usda-customer> from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of

the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

(1) Mail: U.S. Department of Agriculture

Office of the Assistant Secretary for Civil Rights

1400 Independence Avenue, SW

Washington, D.C. 20250-9410; or

(2) Fax: (833) 256-1665 or (202) 690-7442; or

(3) Email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.

Joaquin Altoro,

Administrator,

Rural Housing Service,

USDA Rural Development.

[FR Doc. 2023-09520 Filed: 5/3/2023 8:45 am; Publication Date: 5/4/2023]